

## U.S. Department of Justice



United States Attorney  
Southern District of New York

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

January 27, 2011

By Hand

The Honorable Frank Maas  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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Re: United States v. Isaak Khafizov,  
10 Cr. 709 (GBD)

Dear Judge Maas:

The Government respectfully requests a modification of the defendant's bail conditions to remove the current requirement that the defendant's bond be secured by his father's automobile (valued at approximately \$39,000). Earlier today, Judge Daniels's chambers informed the Government that Judge Daniels is currently unavailable, and suggested the Government submit this request to the Court, which set the defendant's bail conditions at his presentment on June 17, 2010.

The Government learned from defense counsel last night that the defendant is about to lose his home in foreclosure, but that the foreclosure can be avoided if a refinancing of the defendant's mortgage is approved by the bank this week. According to counsel, the defendant's father is a co-signer on the mortgage, and the Government's security interest in his car, which appears as a judgment against him in his credit report, is preventing the refinancing from being approved by the bank.

It is the Government's understanding that the defendant has been compliant with the conditions of his bail. Furthermore, the defendant's remaining conditions of pre-trial release will remain unaffected, namely, a \$100,000 personal recognizance bond co-signed by the defendant's mother, brother, and wife; regular Pre-Trial Services supervision, travel restricted to the Southern and Eastern Districts of New York; and the defendant is not to engage in the mortgage modification business.

Honorable Frank Maas  
January 27, 2011  
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The magistrate clerks have informed me that if the Court would "so-order" this letter to indicate the authorization of the above-requested modification, the magistrate clerks will modify the bond.

Respectfully submitted,

PREET BHARARA  
United States Attorney

By:

*Nicole W. Friedlander*  
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cc: James Kousouros, Esq.

IT IS SO ORDERED.

Dated: New York, New York  
January 28, 2011

*Frank Maas*  
HONORABLE FRANK MAAS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK